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Attorneys for Defendant  
eAppraiseIT, LLC (named as First American eAppraiseIT)

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

FELTON A. SPEARS, JR. and SIDNEY  
SCHOLL, on behalf of themselves and all others  
similarly situated,

Plaintiffs,

vs.

FIRST AMERICAN EAPPRAISEIT (a/k/a  
eAppraiseIT, LLC),  
a Delaware limited liability company; and  
LENDER'S SERVICE, INC., a Delaware limited  
liability company,

Defendants.

Case No. 5-08-CV-00868 RMW

**CLASS ACTION**

**STIPULATION AND [] ORDER  
SETTING BRIEFING SCHEDULE**

Courtroom: Courtroom 6, 4th Floor  
Judge: Hon. Ronald M. Whyte

Pursuant to Local Rules 6-1 and 6-2, it is hereby stipulated and agreed by Plaintiffs and defendant EAPPRAISEIT, LLC (named as FIRST AMERICAN EAPPRAISEIT), by and through their attorneys of record, as follows:

Plaintiffs intend to file a renewed motion for class certification to address the issues raised in the Court's July 2, 2010 Order Denying Motion For Class Certification Without Prejudice (Docket #209). Pursuant to the Court's direction during the August 13, 2010 case management conference, the parties hereby stipulate to the following briefing schedule regarding this motion:

November 19, 2010	Deadline for Plaintiffs to file and serve their renewed motion for class certification
December 23, 2010	Deadline for Defendant to file and serve its opposition to Plaintiffs' renewed motion for class certification
January 7, 2011	Deadline for Plaintiffs to file and serve their reply brief in support of their renewed motion for class certification
January 21, 2011	Hearing regarding Plaintiffs' renewed motion for class certification at 9:00 A.M.

In reaching this stipulation, the parties worked to avoid conflicts with counsel's holiday vacations as this Court directed.

Pursuant to the Court's August 13, 2010 Minute Order (Docket #214), the hearing regarding Plaintiffs' renewed motion for class certification is currently scheduled for January 14, 2011 at 9:00 A.M.

1 IT IS SO STIPULATED

2 Dated: September 2, 2010

STEMBER FEINSTEIN DOYLE PAYNE &  
CORDES LLC

3 BRAUN LAW GROUP

4 LAW OFFICE OF JANET LINDNER  
5 SPIELBERG

6 SPIRO MOSS LLP

7 By /s/ Joseph N. Kravec, Jr.

8 JOSEPH N. KRAVEC, JR.

Attorneys for Plaintiffs

9 FELTON A. SPEARS, JR. and SIDNEY  
SCHOLL

10 Dated: September 2, 2010

DLA PIPER LLP (US)

11 By /s/ Carter Ott

12 CARTER W. OTT

Attorneys for Defendant

13 EAPPRAISEIT, LLC (named as FIRST  
14 AMERICAN EAPPRAISEIT)

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16 I, Carter Ott, am the ECF user whose ID and password are being used to file this  
17 STIPULATION AND [PROPOSED] ORDER SETTING BRIEFING SCHEDULE. In  
18 compliance with General Order 45, X.B., I hereby attest that Joseph Kravec, Jr. has concurred in  
19 this filing.

20 **ORDER**

21 The hearing regarding Plaintiffs' renewed motion for class certification is hereby  
22 continued from January 14, 2011 to January 21, 2011 at 9:00 A.M. Plaintiffs shall file and serve  
23 their renewed motion for class certification on or before November 19, 2010; Defendant shall file  
24 and serve their opposition to this motion on or before December 23, 2010; and Plaintiffs shall file

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1 and serve their reply in support of their renewed motion for class certification on or before  
2 January 7, 2011.

3 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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5 DATED: 9/15, 2010

6 By   
7 HONORABLE RONALD M. WHYTE  
8 United States District Judge  
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